

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY ORDINARY
ORIGINAL CIVIL JURISDICTION.**

APPEAL NO. 694 OF 2005.

Deepak Khimji Cheeda.

..Appellant.

V/s.

Laxmichand Jakubhai Vira

.. Respondent.

Shri A.M. Saraogi for the appellant.

Shri H.D. Mehta i/b Rajendra Mehta for the
respondent.

CORAM : V.C.DAGA AND J.P. DEVADHAR, JJ.

DATED : 27.9. 2005.

P.C. :

. Heard learned Counsel appearing for the
appellant. No case is made out to interfere with
the impugned order.

. However, since period for depositing the
amount has already expired, learned Counsel
appearing for the appellant submits that the said
period be extended. Considering the request made,
the period for depositing the amount is extended by
12 weeks from today, subject to deposit of Rs. 3
lacs within 2 weeks from today. Appellant himself
is present in Court and he is supposed to take a
note of this order. In the event of default in
making deposit as directed above, it would be open
for the respondents to apply for decree.

. It is needless to mention that criminal proceeding shall be tried on its own merits independent of the civil proceeding.

. Appeal stands disposed of in terms of this order with no order as to costs.

(J.P. DEVADHAR,J.)

(V.C. DAGA,J.)